

MOLOD SPITZ & DESANTIS, P.C.

ATTORNEYS AT LAW  
104 WEST 40<sup>TH</sup> STREET, NEW YORK, NY 10018-3617  
PHONE (212) 869-3200 FAX (212) 869-4242  
E-MAIL: attorneys@molodspitz.com  
WEBSITE: www.molodspitz.com

December 30, 2005

Hon. Allyn R. Ross  
United States District Court  
U.S. Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

*Referred for decision  
by Judge Gold.  
So ordered.*

Re: **Cassar v. Diamond Truck Rental, Inc. Et al.**  
**Docket No.: CV 05 5688 (ARR)(SMG)**  
Our File No. SP 4268

*1/5/06  
cc: Counsel  
Judge Gold*

Dear Judge Ross:

We represent the plaintiff in the above matter.

We enclose a courtesy copy of our Notice of Motion to Remand to State Court, Declaration and Memorandum of Law in Support of Motion to Remand, and have filed these papers electronically on the CM/ECF website. In addition, we have served hard copies of same on the parties to this action.

Thank you for your consideration.

Respectfully submitted,

MOLOD SPITZ & DeSANTIS, P.C.

*Alice Spitz*  
\_\_\_\_\_  
Alice Spitz (AS 5166)

AS:cm  
Enclosures

TO: Matthew J. Vitucci, Esquire  
MORRIS DUFFY ALONSO & FALEY  
Attorneys for Defendants  
BUDGET RENT-A-CAR SYSTEM, INC.'S and  
PARRISH ENTERPRISES  
Two Rector Street, 22nd Floor  
New York, NY 10006

*\*DOCUMENTS FORWARDED  
TO M. J. GOLD*



A member of the Harmonie Group, an affiliation of independent law firms

Hon. Allyn R. Ross, United States District Court  
Eastern District of New York  
**Re: Cassar v. Diamond Truck Rental, Inc. Et al.**  
**Docket No.: CV 05 5688 (ARR)(SMG)**

Alan D. Kaplan, Esquire  
HERRICK FEINSTEIN LLP  
Attorneys for Defendants  
GOODYEAR TIRE & RUBBER COMPANY  
2 Park Avenue  
New York, New York 10016

Henry J. Cernitz  
JACOBSON & SCHWARTZ  
Attorneys for Defendant  
BELARDINELLI TIRE COMPANY  
510 Merrick Road, P.O. Box 46  
Rockville Centre, New York 11571

Diamond Truck Rental, Inc.  
100 Gayridge Road  
Yorktown Heights, NY 10598